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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 ARTHUR LEE GARRISON,

9 *Petitioner,*

10 vs.

11 RENEE BAKER, et al.,

12 *Respondents.*  
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3:15-cv-00429-RCJ-WGC

ORDER

15 On September 25, 2015, the court entered an order and judgment dismissing this case because  
16 petitioner filed it nominally as a habeas proceeding under 28 U.S.C. § 2254 when it is clear that the more  
17 appropriate avenue for the relief he seeks is an action under 42 U.S.C. § 1983. ECF Nos. 5 and 6. Since  
18 that dismissal, the court has received at least two payments from the petitioner totaling \$13.34, which  
19 is apparently an attempted partial payment of a filing fee. The court has neither authorized, nor required,  
20 the payment of such fees.

21 **IT IS THEREFORE ORDERED** that the finance department of this court shall refund to the  
22 petitioner all funds received from the petitioner in relation to this action.

23 Dated this \_\_ 2nd day of December, 2015.

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26 UNITED STATES DISTRICT JUDGE  
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